

PashmanStein

December 20, 2012

**VIA FACSIMILE AND ELECTRONIC FILING**

Hon. Esther Salas  
United States District Judge  
Martin Luther King, Jr., Federal Building and Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

**Re: *NVE, Inc. v. Palmeroni, et al.***  
**Civil Action No. 06-5455(ES) (SCM)**

Dear Judge Salas:

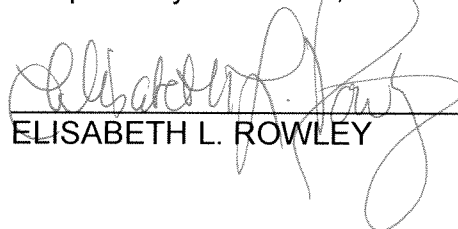
As the Court is aware, this office represents Plaintiff N.V.E., Inc., and Third Party Defendants Robert Occhifinto and Walter Orcutt ("NVE"). A Motion to Dismiss was filed by Jarrett W. Portz, John J. Portz, Sr., Katherine Portz, International Wholesale Service, Inc., International Wholesale Supply, Inc. (collectively "International Wholesale"), Ronald Sumicek ("Sumicek") and Sunbelt Marketing ("Sunbelt") on November 16, 2012 (#316). Counsel for Sumicek and Sunbelt has recently been retained by Darren Householder ("Householder") and Brand New Energy ("Brand New"), who will be joining the existing Motion to Dismiss by December 21, 2012.

Presently, NVE's Opposition to Defendants' Motion to Dismiss is due on January 8, 2013 and Defendants' Reply is due on January 22, 2013.

Please accept this letter as Plaintiff's request for a two week extension of time within which to file same (January 22, 2013), thereby making Defendants' Reply due on February 5, 2013. I have obtained the consent of Todd Greenberg, Esq., counsel for the International Wholesale, and Robert Basil, Esq., counsel for Sumicek, Sunbelt, Householder and Brand New.

Thank you for your consideration of this request.

Respectfully submitted,



ELISABETH L. ROWLEY

So Ordered

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Hon. Esther Salas, U.S.D.J.  
December \_\_\_\_, 2012